UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,443	03/20/2001	John W. Garrett	2000-0184B	9856

7590   07/01/2004

Samuel H. Dworetsky
AT&T CORP.
P.O. Box 4110
Middletown, NJ 07748-4110

EXAMINER
DINH, KHANH Q

ART UNIT	PAPER NUMBER
2151	6

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/812,443	GARRETT ET AL.
	Examiner	Art Unit
	Khanh Dinh	2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>5</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-12 are presented for examination.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 8/15/2001 was filed

after the mailing date of the instant application on 3/20/2001. The submission is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statement is being considered by the examiner.

Claim Objections

3.   Claims 2, 8 and 9 are objected to because of the following informalities:

In claims 2, 8 and 9, the terms "DHCP" and "RADIUS" should be completely

spelled out.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

Sitaraman et al. (Hereafter Sitaraman), U.S. pat. No.6,427,174.

As to claim 1, Sitaraman discloses a method of assigning a network address to a

network access device (94 fig.3) connected to an access network infrastructure

connected to a plurality of service networks (66, 78, 80 of fig.3), comprising the steps of:

        receiving a request from a subscriber (subscriber/user 90 of fig.3 requesting a

connection that is well suited for video data, see col.7 lines 1-37) operating a network

access device selecting a service provided by a service network and subscribed to by

the subscriber (i.e., using the pool identifier to reflect the type of network service a

contracted for by the subscriber with the subscriber's Internet Service Provider, see

abstract, fig.3, col.7 lines 24-49).

        allocating a network address from a pool of addresses (using address pools 81 of

fig.3) allocated to subscribers of the service (using configuration 80 of fig.3 to allocate

addresses from plurality of address pools to subscribers, see col.7 lines 1-23).

        assigning the network address to the network access device using a host

configuration protocol (assigning network service by a Dynamic Host Configuration

Protocol, see col.7 lines 1-12), wherein the network address is utilized by the access

network infrastructure to forward packets from the network access device to the service

network providing the selected service (providing network service according to

authorized subscriber's requests, see col.7 lines 39-65 and col.col.9 lines 10-56).

As to claim 2, Sitaraman discloses that the host configuration protocol is DHCP

(Dynamic Host Configuration Protocol, see col.7 lines 1-14).

As to claim 3, Sitaraman discloses authenticating the subscriber before assigning the network address to the network access device (using security server 78 of fig.3 to authenticate user and then returning all configuration information necessary to network access server, see col.7 lines 38-65).

As to claim 4, Sitaraman discloses that the service networks utilize the Internet Protocol and wherein the addresses are Internet Protocol addresses (using TCP/IP based connection and IP attributes, see col.5 lines 20-56 and col.10 lines 5-26).

As to claim 5, Sitaraman discloses that the plurality of service networks are operated by different Internet Service Providers [Internet access at an area serviced by a access point (sometimes referred to as a PoP or "Point of Presence"), provided by the same or different ISP, see col.2 lines 39-67 and col.5 line 32 to col.6 line 51].

As to claim 6, Sitaraman discloses that the plurality of service networks offer access to different Internet Protocol-based services (providing a variety of services such as an ADSL (Asynchronous Digital Subscriber Line, RADSL, VDSL, HDSL, SDSL; Voice Over IP, see col.5 lines 2-31).

As to claim 7, Sitaraman discloses a method of assigning a network address to a

network access device (94 fig.3) connected to an access network infrastructure

connected to a plurality of service networks (66, 78, 80 of fig.3) comprising the steps of:

receiving a request from a subscriber (subscriber/user 90 of fig.3 requesting a

connection that is well suited for video data, see col.7 lines 1-37) operating a network

access device selecting a service provided by a service network and to which the

subscriber is subscribed (i.e., using the pool identifier to reflect the type of network

service a contracted for by the subscriber with the subscriber's Internet Service

Provider, see abstract, fig.3, col.7 lines 24-49).

allocating a network address from a pool of addresses (address pools 81 fig.3)

allocated to subscribers of the service (using configuration 80 of fig.3 to allocate

addresses from plurality of address pools to subscribers, see col.7 lines 1-23).

receiving authentication information from the subscriber; transmitting the

authentication information to the service network; if the service network authenticates

the subscriber [using security server (78 of fig.3) to authenticate user and then returning

all configuration information necessary to network access server, see col.7 lines 38-65].

assigning the network address to the network access device using a host

configuration protocol (assigning network service by a Dynamic Host Configuration

Protocol, see col.7 lines 1-12), wherein the network address is utilized by the access

network to forward packets from the network access device to the service network

providing the selected service (providing network service according to authorized

subscriber's requests, see col.7 lines 39-65 and col.col.9 lines 10-56).

As to claim 8, Sitaraman discloses that the host configuration protocol is DHCP

(Dynamic Host Configuration Protocol, see col.7 lines 1-14).

As to claim 9, Sitaraman discloses that the service network authenticates the subscriber

using RADIUS protocol (RADIUS protocol, see col.9 lines 1-28).

As to claim 10, Sitaraman discloses that the service networks utilize the Internet

Protocol and wherein the addresses are Internet Protocol addresses (using TCP/IP

based connection and IP attributes, see col.5 lines 20-56 and col.10 lines 5-26).

As to claim 11, Sitaraman discloses that the plurality of service networks are operated

by different Internet Service Providers [Internet access at an area serviced by a access

point (sometimes referred to as a PoP or "Point of Presence"), provided by the same or

different ISP, see col.2 lines 39-67 and col.5 line 32 to col.6 line 51].

As to claim 12, Sitaraman discloses that the plurality of service networks offer access to

different Internet Protocol-based services (providing a variety of services such as an

ADSL (Asynchronous Digital Subscriber Line, RADSL, VDSL, HDSL, SDSL; Voice Over

IP, see col.5 lines 2-31).

Other prior art cited

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

        a. Fijolek et al, US pat. No.6,058,421: A method for discovering an address of a network host interface on a network.

        b. Martin, US pat. No.6,154,776: Allocating a Quality of Service to a flow on a network.

        c. Sitaraman et al, US pat. No.6,263,369: Method for providing an authentication and authorizing access requests on a network.

        d. Massarani, US pat. No.6,393,484: A method for preventing unauthorized users and devices from obtaining access in networks.

        e. Sitaraman et al, US pat. No.6,427,170: Managing dynamic IP address allocation in a data communications network having a point of presence.

        f. Singhal et al, US pat. No.6,633,761: Method for enabling seamless connectivity and roaming in wireless communication devices.

        g. Shanumgam et al, US pat. No.6,708,187: Updating configuration database information of remote providers across the Internet.

Conclusion

5.   Claims 1-12 are rejected.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-

8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m.

to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess, can be reached on (703) 305-4792.   The fax phone

number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the

mailing date of this communication. Failure to response within the period for response

will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of

time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2151
6/19/2004